

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Lodi Gas Storage, L.L.C. for a  
Certificate of Public Convenience and Necessity  
for Construction and Operation of Gas Storage  
Facilities.

Application 98-11-012  
(Filed November 5, 1998;  
reopened July 10, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING PROTECTIVE ORDER**

On July 10, 2003, Lodi Gas Storage, L.L.C. (LGS) filed a motion seeking leave to file its audited financial statements under seal pursuant to Rule 45 of the Commission's Rules of Practice and Procedure and the Commission's General Order 66-C. LGS has attached these financial statements as Exhibit C to its petition for modification of Decision 00-05-048.

LGS states that it is engaged in the competitive gas storage industry. The Commission has approved LGS' use of market-based rates and LGS has several existing storage competitors. According to LGS, its present and future competitors could find information regarding LGS' financial statements useful in determining its economics, estimating its fixed and marginal costs, and devising pricing strategies to compete with LGS. Therefore, LGS believes that its audited financial statements are competitively sensitive and should not be available for public inspection. LGS' motion is unopposed.

Good cause being shown, I grant LGS' motion for a protective order to the extent set forth below.

**IT IS RULED** that:

1. The July 10, 2003 motion of Lodi Gas Storage, L.L.C. (LGS) for leave to file confidential material under seal is granted to the extent below.
2. The audited financial statements attached as Exhibit 3 to LGS' July 10, 2003 Petition for Modification of Decision 00-05-048, which exhibit has also been filed under seal as an attachment to the motion for protective order, shall remain under seal for a period of two years from the date of this ruling, and during that period shall not be made accessible or disclosed to anyone other than Commission staff except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.
3. If LGS believes that further protection of this information is needed after two years, it may file a motion stating the justification for further withholding the material from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than 30 days before the expiration of this protective order.

Dated March 25, 2004, at San Francisco, California.

/s/ JANET A. ECONOME

Janet A. Econome  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Protective Order on all parties of record in this proceeding or their attorneys of record.

Dated March 25, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.